



A G E N D A

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PUBLIC FINANCING AUTHORITY



JULY 6, 2005

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

**CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.**

**THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH REDEVELOPMENT AGENCY,
PLANNING COMMISSION, AND PUBLIC FINANCING AUTHORITY**

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR.

Pursuant to Government Code Section 54957.6:

Agency Negotiator: City Manager
Employee organizations: Imperial Beach Firefighters' Association (IBFA)
Service Employees International Union (SEIU), Local 2028

CONFERENCE WITH PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Pond 20, San Diego, CA 92154
Agency Negotiator: City Manager
Negotiating Parties: Unified Port of San Diego
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 1231, 1233, and 1235 Palm Ave., Imperial Beach, CA 91932
Agency Negotiator: City Manager
Negotiating Parties: Richard A. Chavez and Ina Chaefer-Chavez
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 1497 13th Street, Imperial Beach, CA 91932
Agency Negotiator: City Manager
Negotiating Parties: Emmanuel Daniel
Under Negotiation: Instruction to Negotiator will concern price and terms of payment

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

REGULAR MEETING CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

PLEDGE OF ALLEGIANCE/INVOCATION

AGENDA CHANGES

MAYOR/COUNCIL ANNOUNCEMENTS/REPORTS

COMMUNICATIONS FROM CITY STAFF

PUBLIC COMMENT - *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

PRESENTATIONS/PROCLAMATIONS/REPORTS (1)

None.

CONSENT CALENDAR (2.1 - 2.13) - *All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.*

2.1 MINUTES.

City Manager's Recommendation: Approval of the minutes of the Regular Meetings of May 18, 2005 and June 2, 2005.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify Accounts Payable Numbers 59550 through 59650 for the period ending 06/21/05 and Payroll Register Numbers 35628 through 35688 for the period ending 06/09/05 in the amount of \$618,949.36.

2.3 1365 SEACOAST CONDOMINIUMS; FINAL MAP (TM 04-147) FOR THE PROPOSED CONVERSION OF 14 RESIDENTIAL UNITS TO CONDOMINIUM OWNERSHIP AT 1365 SEACOAST DR., IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. OWNER: TRACY MEHKI, SAND AND SEA CAPITAL, INC./APPLICANT MALCOLM DAVIES, SAND AND SEA CAPITAL, INC. MF 744. (0600-20)

City Manager's Recommendation: That the City Council approve the Final Map (TM 04-147) and make the findings as listed in the staff report.

2.4 RESOLUTION NO. 2005-6176 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA RESCINDING CITY OF IMPERIAL BEACH COUNCIL POLICY 415 – FRANCHISED SOLID WASTE SERVICE WAIVERS. (0270-95)

City Manager's Recommendation:

1. Receive report; and
2. Adopt Resolution No. 2005-6176.

(Continued Next Page)

CONSENT CALENDAR (Continued)

- 2.5 RESOLUTION NO. 2005-6182 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AUTHORIZING AGREEMENT FOR BEACH ACCESS BY CITY OF IMPERIAL BEACH. (0480-75)**
City Manager's Recommendation:
1. Receive report; and
2. Adopt Resolution No. 2005-6182.
- 2.6 RESOLUTION NO. 2005-6178 AUTHORIZING A SMART GROWTH INCENTIVE PROGRAM (SGIP) GRANT APPLICATION FOR THE OLD PALM AVENUE STREETSCAPE IMPROVEMENT PROJECT. (0140-40 & 0620-20)**
City Manager's Recommendation:
1. Receive report; and
2. Adopt Resolution No. 2005-6178.
- 2.7 NO ITEM.**
- 2.8 RESOLUTION NO. 2005-6179 APPROVING A TWO-YEAR AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND JESSOP AND SON LANDSCAPING & TURF CARE FOR SPORTS PARK MAINTENANCE SERVICES. (0920-40)**
City Manager's Recommendation: It is respectfully requested that the City Council:
1. Receive report; and
2. Adopt Resolution No. 2005-6179.
- 2.9 ADOPT RESOLUTION NO. 2005-6180 APPROVING A REVISED AGREEMENT BETWEEN THE CITY AND THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT ASSOCIATION/CHAMBER OF COMMERCE FOR ADMINISTRATION OF THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT. (0465-20)**
City Manager's Recommendation:
1. Receive report; and
2. Adopt Resolution No. 2005-6180.
- 2.10 AUTHORIZE LETTER OF SUPPORT FOR ACA 13. (0460-40)**
City Manager's Recommendation: Authorize the Mayor to send a letter supporting ACA 13 to the Governor, Assembly Members Harman and Vargas, and Senator Ducheny with a copy to the League of California Cities similar to the letters sent by San Diego and the League of California Cities.
- 2.11 RELOCATION OF PUBLIC WORKS FACILITIES. (0910-30)**
City Manager's Recommendation: Authorize sending the letter regarding relocation of Public Works Yard to Captain Alexander.
- 2.12 ADOPTION OF RESOLUTION NO. 2005-6184 AUTHORIZING THE CITY MANAGER TO ENTER INTO PROFESSIONAL SERVICES CONSULTANT CONTRACT FOR TEMPORARY BUILDING DEPARTMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000.00. (0710-90)**
City Manager's Recommendation: Adopt Resolution No. 2005-6184.
- 2.13 RESOLUTION AUTHORIZING THE PURCHASE OF ONE NEW LIFEGUARD 4X4 EMERGENCY COMMAND/ADMINISTRATIVE VEHICLE FOR THE OCEAN/BEACH SAFETY DIVISION. (0380-10)**
City Manager's Recommendation:
1. Receive report; and
2. Adopt Resolution No. 2005-6186 awarding the purchase to the lowest qualified bidder.

ORDINANCES - INTRODUCTION/FIRST READING (3.1)

3.1 INTRODUCTION OF ORDINANCE NO. 2005-1028, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH REPEALING CHAPTER 15.04 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE UNIFORM BUILDING CODE, 1997 EDITION AND INTRODUCTION OF ORDINANCE NO. 2005-1029 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING CHAPTER 15.06 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE CALIFORNIA BUILDING CODE, 2001 EDITION. (0390-60 & 0710-95)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for introduction of Ordinance No. 2005-1028, an Ordinance of the City Council of the City of Imperial Beach, California, repealing Chapter 15.04 of the Imperial Beach Municipal Code related to the Uniform Building Code, 1997 Edition and introduction of Ordinance No. 2005-1029, an Ordinance of the City Council of the City of Imperial Beach, California amending Chapter 15.06 of the Imperial Beach Municipal Code related to the California Building Code, 2001 Edition;
3. City Clerk reads title of Ordinance No. 2005-1028 and Ordinance No. 2005-1029; and
4. Motion to dispense first readings of Ordinance No. 2005-1028 and Ordinance No. 2005-1029 and set the matter for adoption at the next regularly scheduled City Council meeting and authorize the publications in a newspaper of general circulation.

ORDINANCES - INTRODUCTION/FIRST READING/PUBLIC HEARING (3.2)

3.2 SEWER RATE ORDINANCE. (0830-90)

City Manager's Recommendation:

1. Declare the public hearing open; and
2. Continue the public hearing to a Continued Regular meeting of Monday, June 11, 2005.

ORDINANCES - SECOND READING & ADOPTION (4.1 - 4.2)

4.1 ADOPTION OF ORDINANCE NO. 2005-1026 REPEALING AUTHORITY TO IMPOSE STANDBY CHARGES AND MODIFICATION OF SEWER RATE APPEAL PROCESS. (0830-37)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2005-1026, an Ordinance of the City Council of the City of Imperial Beach, California, Amending Section 13.06.060(E) and Repealing Section 13.060.080 of the Imperial Beach Municipal Code;
3. City Clerk reads title of Ordinance No. 2005-1026; and
4. Motion to dispense second reading and adopt Ordinance No. 2005-1026 by title only.

(Continued Next Page)

ORDINANCES - SECOND READING & ADOPTION (Continued)

- 4.2 ADOPTION OF ORDINANCE 2005-1027 – RENAMING CHAPTER 8.36 (REFUSE, SOLID WASTE AND RECYCLABLE COLLECTION); AMENDING SECTIONS 8.36.020 (AUTHORIZATION FOR COLLECTION OF SOLID WASTE AND RECYCLABLES), 8.36.030 (DEFINITIONS) AND 8.36.050 (COLLECTION BY FRANCHISEE); REPEALING 8.36.110 (GARBAGE AND REFUSE-RECYCLING RECEPTACLES-APPROVED FOR USE); AMENDING AND RENUMBERING 8.36.120 (GARBAGE AND REFUSE-RECYCLING-RECEPTACLES FOR COLLECTION) AND 8.36.170 (OWNER OR OCCUPIER DUTY TO KEEP SIDEWALKS LITTER FREE); RENUMBERING SECTIONS 8.36.130-8.36.160, 8.36.180 TO 8.36.270 AND ADDING SECTIONS 8.36.250 TO 8.36.320 RELATING TO SOLID WASTE COLLECTION METHODS. (0270-05)**

City Manager's Recommendation:

1. Receive report,
2. Mayor calls for the reading of the Title of Ordinance No. 2005-1027 - an Ordinance of the City Council of the City of Imperial Beach, California, renaming Chapter 8.36 (Refuse, Solid Waste and Recyclable Collection); amending Sections 8.36.020 (Authorization for Collection of Solid Waste and Recyclables), 8.36.030 (Definitions) and 8.36.050 (Collection by Franchisee); repealing 8.36.110 (Garbage and Refuse-recycling Receptacles-approved for Use); amending and renumbering 8.36.120 (Garbage and Refuse-recycling-receptacles for Collection) and 8.36.170 (Owner or Occupier Duty to Keep Sidewalks Litter Free); renumbering Sections 8.36.130-8.36.160, 8.36.180 to 8.36.270 and adding Sections 8.36.250 to 8.36.320 relating to solid waste collection methods;
3. City Clerk to read title of Ordinance; and
4. Motion to dispense second reading and adopt Ordinance No. 2005-1027 by title only.

WRITTEN COMMUNICATIONS (5)

None.

PUBLIC HEARINGS (6.1 - 6.2)

- 6.1 JOE CRISTILLI (APPLICANT/ARCHITECT) / BOB KIPPERMAN (PROPERTY OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 04-165), CONDITIONAL USE PERMIT (CUP 04-166), DESIGN REVIEW (DRC 04-167), SITE PLAN REVIEW (SPR 04-168), FOR A MIXED-USE DEVELOPMENT WITH A RETAIL COMMERCIAL SPACE AND THREE RESIDENTIAL UNITS LOCATED AT 201 PALM AVE., IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 755. (0600-20)**

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2005-6177, granting conditional approval of Administrative Coastal Permit (ACP 04-165), Conditional Use Permit (CUP 04-166), Design Review (DRC 04-167) and Site Plan Review (SPR 04-168), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

(Continued Next Page)

PUBLIC HEARINGS (Continued)

6.2 PUBLIC HEARING FOR FY 2005/2006 BUSINESS IMPROVEMENT DISTRICT (BID) ASSESSMENTS. (0920-40)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive public testimony;
3. Close the public hearing; and
4. Adopt assessments for FY 2005/2006 at the same level as FY 2004/2005.

REPORTS (7.1 - 7.5)

7.1 VETERANS PARK MASTER PLAN CIP - LANDSCAPE PLAN. (0920-70)

City Manager's Recommendation:

1. Receive report;
2. Determine where the trees are to be planted adjacent to the eastern property line in the northern half of the project area; and
3. Determine the specie of trees that are authorized to be planted adjacent to the property line within this project area.

7.2 ADOPT RESOLUTION NO. 2005-6181 APPROVING THE CITY OF IMPERIAL BEACH'S REQUEST TO WITHDRAW FROM THE SAN DIEGO REGIONAL REVOLVING LOAN FUND PROGRAM. (0620-20)

City Manager's Recommendation:

1. Receive report; and
2. Adopt Resolution No. 2005-6181.

7.3 SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS. (0620-75)

City Manager's Recommendation: Receive verbal report from the City Manager on any and all issues relating to the overflow of sewage from Mexico and the current status of secondary treatment progress.

7.4 URBAN WATERFRONT/ECO-TOURISM STUDY – FORMATION OF AN ECO-TOURISM COMMITTEE AND ESTABLISHING ITS DUTIES, ROLES AND FUNCTIONS. (0620-25)

City Manager's Recommendation: Receive report and make any necessary comments or modifications.

7.5 SEWER RATE STUDY REPORT – STATUS REPORT. (0830-90)

City Manager's Recommendation: It is respectfully requested that the City Council receive and file the staff report and calendar to finalize the Sewer Rate ordinance for the fiscal year 2005/2006.

REPORTS OF MAYOR AND COUNCILMEMBERS

REPORTS OF MAYOR ROSE

South Bay Mayors & City Managers Committee, Metropolitan Transit System (MTS),
SAFE Board

REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM JANNEY

SANDAG – Shoreline Preservation Committee, Job Corps Liaison, South County
Economic Development Council, Heartland Communications Facility Authority JPA
Board, San Diego Airport Matters

COUNCILMEMBER MCLEAN

Chamber of Commerce Liaison, Bayshore Bikeway Advisory Committee

COUNCILMEMBER WINTER

San Diego Division - League of California Cities, Metro Wastewater Commission/JPA,
Otay River Management Plan Policy Committee, Water Quality Matters

COUNCILMEMBER MCCOY

San Diego Association of Governments (SANDAG) Board

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

ADJOURNMENT

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

For your convenience, the agenda is also available to you on our website at
www.cityofib.com.

**A COPY OF THE COUNCIL MEETING PACKET MAY BE VIEWED BY THE PUBLIC
IN THE OFFICE OF THE CITY CLERK AT CITY HALL.**

Copies of this notice were provided on July 1, 2005 to the City Council, San Diego Union-Tribune, I.B. Eagle & Times, and I.B. Sun.

AFFIDAVIT OF POSTING)
STATE OF CALIFORNIA)
CITY OF IMPERIAL BEACH)

I, Jacqueline M. Hald, City Clerk of the City of Imperial Beach, hereby certify that the Agenda for the Regular Meeting as called by the City Council, Redevelopment Agency, and Public Financing Authority of Imperial Beach was provided and posted on July 1, 2005. Said meeting to be held at 5:00 p.m., July 6, 2005, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on July 1, 2005 at 12:00 p.m.

Jacqueline M. Hald
City Clerk